

## MINUTES

### RULES COMMITTEE OF THE COMMISSION FOR MH/DS/SAS HOLIDAY INN NORTH APRIL 3, 2002

**Attending:**

**Commission Members:** Floyd McCullouch, Chair, Pender McElroy, William Sims, Emily Moore, Bernard Sullivan, Jr., Anna Scheyett, Ken Gerrard, Joe Donovan, Marvin Schwartz, Ellen Holliman, Fredrica Stell, Pat Chamings, Martha Martinat, Mansfield Elmore, Lois Batton, Dorothy Crawford, Bruce Whitaker

**Ex-Officio Members:** Bob Hedrick, Carol Duncan Clayton and Joe Donovan

**Excused:** Martha Macon, Pearl Finch, Albert Fisher

**Others:** Tara Larson, Marilyn Brothers, Susan Collins, Jim Jarrard, Doug Baker, Tom Bainbridge, Robert Beasley, Joan Kaye, Bill Duffy, Glenda Stokes, Kevin Oliver, Barbara Dennis, Mary Eldridge, Bob Kurtz, Ann Rodriguez, Mary Fraser, Bert Bennett, Janet Schanzenbach, John Crawford

**Handouts:** Agenda; Minutes of the January 9, 2002 Rules Committee Meeting; Summary of Public Comments with State Authority Responses to the Outpatient Opioid Treatment Rules; Rules Tracking Report; Revisions to the Child Residential Rules; Division Recommendations for SFY 2002-03 Recurring Reductions

Chair Floyd McCullouch called the meeting to order at 11:00 a.m. and welcomed new member Joe Donovan.

Martha Martinat made a motion to approve the January Rules Committee Minutes. Fredrica Stell seconded the motion and it passed unanimously.

Tara Larson announced that a report of the status of the recommended changes to the objections on the remainder of the Seclusion & Restraint (S & R) Rules, which were approved at the Special Commission Meeting this morning to be resubmitted to Rules Review Commission (RRC), will be announced at the May Commission meeting. This report is needed since action by the Rules Review Commission is unknown. The Department's position remains that a fiscal note will not be signed.

Doug Baker presented a summary of the public comments received regarding the Opioid Treatment Rules. Consensus of the Committee was to not hold a public hearing and to go forward with rules as written to be adopted at the May Commission meeting. Lois Batton made a motion to accept the rules as written. Martha Martinat and Fredrica Stell seconded the motion. The motion passed unanimously.

Mr. Baker also gave a brief summary on the Qualified Prevention Specialist Rule in progress. A committee of the State Plan Implementation working on this discovered the issue of two professionals – one professional trained in treatment and one trained in prevention. Substance Abuse staff are working on the new credentialing language for this and hope to get back to the Rules Committee with recommendations at the July Rules Committee meeting.

There was a discussion regarding prevention. Mr. Baker noted that Federal requirements are that 20% of block grant money must be spent on the scientifically based primary prevention which leads to strick training of prevention specialists.

Ms. Larson also stated that prevention is a part of the State Plan. There was question regarding whether students are being trained in the universities to be able to do this work.

Under Dr. Stedman's recommendation to work with universities, a motion was made by Emily Moore and seconded by Dr. Sims to appoint Dr. Stedman to Chair a Subcommittee to work with the Advisory Committee on drafting a letter recommending networking appropriately with the university systems, community college systems and AHEC systems to make sure they are modifying their education preservice and inservice and degrees to address the competencies we will be requiring. The motion passed unanimously. Dr. Stedman will report back at the July Rules Committee meeting after meeting with the Advisory Committee on April 18.

Ms. Larson introduced Robert Beasley and Tom Bainbridge to give the status of the Child Residential Rules.

Mr. Beasley spoke of the process and the groups involved to get the language in the rules they are presenting. Mr. Bainbridge explained the fiscal impact as being neutral.

The first attempt to review the rules was to walk through the changes page-by-page having Committee members make recommendations. Since this process became too lengthy, the decision of the Rules Committee was to go over the document today as to understand the content. Changes that were pointed out today will be incorporated into the document and the revised document will be emailed to Commission Members for review so they can get their comments/recommendations back to Cindy Kornegay by May 30. A hard copy will be mailed to those members who do not have access to email. In addition, the fiscal note will be sent to all Commission Members for review, before the July Rules Committee meeting.

Division updates were given by Ms. Larson.

Ms. Larson will send Commission members and Bob Hedrick a list of Area Programs that have submitted their mergers for LMEs.

Martha Martinat moved to proceed forward to adopt the temporary rules, i.e., Residential Recovery Programs, Opioid Treatment, Supervised Living and Controlled Substance, as permanent rules at the May Commission meeting. Dr. Stedman seconded the motion and it passed unanimously.

Anna Scheyett requested that copies of these temporary rules to be voted on at the May Commission meeting be sent to the new members of the Commission along with a copy of rulemaking procedures.

Ms. Larson explained her handout of the Division's recommendations for SFY 2002-03 recurring reductions (varying percentages).

Chair Pender McElroy reconvened the Commission meeting for the purpose of making a recommendation to send a letter to the Governor, Speaker of the House and Appropriations concerning the mental health cuts. Ellen Holliman made a motion to have Chair McElroy send a letter on behalf of the Commission protesting these vital human services cuts. Anna Scheyett seconded the motion and it passed unanimously. Chair McElroy requested any good points to be included in the letter be emailed to him.

The Commission readjourned back to the Rules Committee Meeting.

Chair McCullouch adjourned the Rules Committee Meeting at 3:30 p.m.

